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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER 03715.0149 |
| INTERNATIONAL APPLICATION NO. PCT/FR2004/000243 | INTERNATIONAL FILING DATE February 3, 2004 | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/544,218 PRIORITY DATE CLAIMED February 3, 2003 |
| TITLE OF INVENTION YOGURT WITH A TWO-PHASE STRUCTURE AND METHOD FOR PRODUCTION METHOD | | |
| APPLICANT(S) FOR DO/EO/US Pascal CREPEL, Grazyna KAMINSKA, and Olivier RAMAGE | | |
| Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed with the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none"> 11. <input type="checkbox"/> Information Disclosure Statement under 37 CFR 1.97 and 1.98 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A Substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154 (d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> a. <input type="checkbox"/> Copy of cover page of International Publication No. b. <input checked="" type="checkbox"/> Copy of Notification of Missing Requirements. c. <input checked="" type="checkbox"/> Verification of Translation d. <input type="checkbox"/> e. <input type="checkbox"/> f. <input type="checkbox"/> g. <input type="checkbox"/> | | |

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/544,218 | | INTERNATIONAL APPLICATION NO. PCT/FR2004/000243 | | ATTORNEY'S DOCKET NUMBER 03715.0149 | |
| The following fees have been submitted: | | | | CALCULATIONS | PTO Use Only |
| 21. <input type="checkbox"/> BASIC NATIONAL FEE (37 CFR 1.492(a)):\$300.00 | | | | \$ | |
| 22. <input type="checkbox"/> Examination fee (37CFR 1.492(c)) | | | | \$ | |
| If the Written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0 | | | | \$ | |
| All other situations.....\$200 | | | | | |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) | | | | \$ | |
| If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0 | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 | | | | | |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400 | | | | | |
| All other situations.....\$500 | | | | | |
| TOTAL of 21, 22 and 23 = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | Rate | | |
| - 100 = | /50= | | x \$250.00 | \$ | |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | \$130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | - 20 = | | x \$50.00 | \$ | |
| Independent Claims | -3 = | | x \$200.00 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | +\$360.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$130.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$130.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority date (37 CFR 1.492(i)). | | | | \$130.00 | |
| TOTAL NATIONAL FEE = | | | | \$260.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$260.00 | |
| 06/15/2006 MKAYDAGH 00000031 10544218 | | | | Amount to be refunded: | \$ |
| 01 FC:1617 130.00 OP | | | | | |
| 02 FC:1618 130.00 OP | | | | charged: | \$ |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 260.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0916. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 901 New York Avenue, N.W. Washington, DC 20001-4413</p> <p style="text-align: center;"> SIGNATURE</p> <p style="text-align: center;">Ernest F. Chapman/Reg. No. 25,961 NAME/REGISTRATION NUMBER</p> <p>DATED: June 12, 2006</p> | | | | | |



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/544,218 | Pascal Crepel | 03715.0149-00000 |

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| INTERNATIONAL APPLICATION NO. |
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PCT/FR04/00243

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| I.A. FILING DATE | PRIORITY DATE |
| 02/03/2004 | 02/03/2003 |

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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER

LLP

901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

RECEIVED

APR 19 2006

CONFIRMATION NO. 9486

371 FORMALITIES LETTER



Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.
OC000000018530694*

Date Mailed: 04/14/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/02/2005
- Copy of the International Search Report filed on 08/02/2005
- Information Disclosure Statements filed on 11/16/2005
- Oath or Declaration filed on 08/02/2005
- U.S. Basic National Fees filed on 08/02/2005
- Priority Documents filed on 08/02/2005
- Specification filed on 08/02/2005
- Claims filed on 08/02/2005
- Abstracts filed on 08/02/2005
- Drawings filed on 08/02/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-230 for a Large Entity:

- \$130 for English translation surcharge required.

(A previous payment of \$360 will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/544,218 | PCT/FR04/00243 | 03715.0149-00000 |